

**ENTERED**

April 30, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
	§	
v.	§	Criminal No. 4:22-cr-350
	§	
VERSIE PHILLIP SEGERS.	§	
	§	

**MEMORANDUM OPINION AND ORDER**

Defendant Versie Phillip Segers (“Defendant”) is under indictment for threatening to kill the Chief Justice of the Supreme Court of the United States, an Associate Justice of the Supreme Court, and the President of the United States. Indictment, in violation of 18 U.S.C. § 875. ECF No. 1. Defendant was arrested on July 21, 2022. ECF No. 6. He made his initial appearance before the Court on July 22, 2022, at which time the government stated its intention to move for a forensic competency screening. Minute Entry dated July 22, 2022. On July 25, 2022, the government filed its motion for a competency evaluation and hearing. ECF No. 11. Defendant did not oppose. Order, ECF No. 18 at 2; *see* Def.’s Resp., ECF No. 15. The Court held a hearing and heard argument on August 17, 2022, taking the government’s motion under advisement. Minute Entry dated Aug. 17, 2022.

On August 19, the Court granted the government’s request and ordered that Defendant be committed to the custody of the Attorney General pursuant to

18 U.S.C. § 4247(b) for a period not to exceed 30 days for placement in the nearest suitable facility for a competency examination to be conducted by a licensed or certified psychiatrist and/or psychologist. Order, ECF No. 18. The Court set this matter for a competency hearing on October 2, 2022, and stayed the determination of whether to detain or release Defendant pending determination of his competency to stand trial.

Defendant arrived at the Federal Medical Center (“FMC”) in Fort Worth, Texas on August 31, 2022. ECF No. 29 at 2–3. Defendant’s mental health evaluation began on September 5, 2022, after an initial period of quarantine, and was completed on October 19, 2022. On November 14, 2022, Samuel Browning, Ph.D. and John Robert Jones, M.A. issued a competency report. ECF No. 29 at 3.<sup>1</sup>

After receiving the competency report, the Court held a status conference with counsel, Minute Entry Dec, 20, 2022; after which it held an evidentiary competency hearing, Minute Entry Jan. 6, 2023. In the competency report, Dr. Browning and Mr. Jones concluded that based on Defendant’s prognosis and available history, “it appears that [Defendant] may be able to attain competency to stand trial following treatment at a Federal Medical Center within the Federal Bureau of Prisons, under Title 18, United States Code, Section 4241(d), for a reasonable period of time, not

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<sup>1</sup> Based on the above delays, FMC Fort Worth asked for additional time from the October 2, 2022 hearing date to prepare the competency report. Ltr., ECF No. 20. The Court granted FMC Fort Worth’s request for an extension. Order and Notices of Resetting, ECF Nos. 21, 24, 25.

to exceed 120 days.” ECF No. 29 at 4–5. At the competency hearing on January 6, 2023, both the Government and Defendant’s counsel agreed on the record that Defendant is currently incompetent to stand trial. ECF No. 29 at 7. The Court ordered that “Defendant be committed to the custody of the Attorney General where he shall be hospitalized for treatment in a suitable facility for such a reasonable time, not to exceed four months, as is necessary to determine whether there is a substantial probability that, in the foreseeable future, he will attain the capacity to permit the proceedings to go forward,” and set this matter for a status conference for May 8, 2023. ECF No. 29. The Court held a couple status conferences over the next year. Minute Entries dated May 12, 2023, September 19, 2023. On November 7, 2023, Defendant was admitted to the FMC in Butner, North Carolina, and on November 13, 2023, the Court was apprised of his arrival and calculated end date of March 5, 2024.

On March 1, 2024, the Court received the forensic evaluation of Defendant from a forensic psychologist at FMC Butner and a Certificate of Restoration of Competency to Stand Trial from the complex warden. The forensic psychologist found that Defendant’s “mental disease or defect, namely schizoaffective disorder, bipolar type,<sup>2</sup> is well managed by his psychotropic medication regimen and is no

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<sup>2</sup> The forensic psychologist diagnosed Defendant with “schizoaffective disorder, bipolar type, multiple episodes, currently in partial remission,” and defined this disorder as “an uninterrupted period of illness during which there is a major mood disorder concurrent with psychotic

longer impairing his competency”—“he is presently able to understand the nature and consequences of the proceedings against him and to assist properly in his defense.” The forensic psychologist conditioned this opinion on “the continued, consistent compliance with [Defendant’s] current medication regimen,” and “strongly advised that [Defendant] continue to receive the prescribed medication, regardless of his placement, without disruption.”<sup>3</sup> Concerning his ability to testify, challenge prosecution witnesses, and exhibit appropriate courtroom behavior, the forensic psychologist noted that Defendant “presented with no notable deficits.” The forensic psychologist also noted that Defendant did not exhibit any “overt impairment in rational decision making regarding potential pleas, plea agreements, and subsequent sentences in his legal case.”

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symptoms,” including delusions, hallucinations, disorganized speech, grossly disorganized or catatonic behavior, and/or negative symptoms. The forensic psychologist further explained in the report that “[b]ipolar type is assigned when a manic episode is part of the presentation,” which is characterized “by a distinct period of abnormally and persistently elevated, expansive, or irritable mood and abnormally and persistently increased goal-directed activity or energy lasting at least a week or requiring hospitalization.”

<sup>3</sup> The forensic psychologist detailed Defendant’s history of serious mental illness dating back to at least 2010 and included symptoms of psychosis, depression, and mania. Notably, Defendant has been hospitalized numerous times and treated with a variety of medications, but also has a demonstrated history of “poor compliance” with his treatment, resulting in symptom exacerbation. When untreated, Defendant endorsed auditory hallucinations, evidenced disorganized thinking, and espoused delusional ideation. Defendant’s records reflect distinct periods of mania (ideas of grandeur, decreased need for sleep, elevate mood, racing thoughts, and increased energy) and depression (low mood, feelings of worthlessness/hopelessness, low energy, decreased motivation, lack of interest in activities, and suicidal ideation/attempts). The forensic psychologist noted that Defendant does not meet the full criterion for the disorder at this time because many of his symptoms are attenuated through his psychiatric medication regimen, with prognosis as good so long as he maintains compliance with his regimen.

On April 29, 2024, the Court held the competency hearing required under 18 U.S.C. §§ 4241(c) and 4247(d). At that hearing, neither Defendant's counsel nor the government objected to the forensic psychologist's findings and conclusions. The Court also concurs in the findings and conclusions contained in the forensic evaluation. In addressing the Defendant, the Court noted that his prognosis is good as long as he remains compliant with the medical regimen his doctor prescribes. Defendant confirmed that he will take his medications as directed.

Accordingly, for the reasons stated in this Order and upon consideration of the entire record in this case, the Court finds by a preponderance of the evidence that Defendant has a "sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding" and "a rational as well as factual understanding of the proceedings against him." *Dusky v. United States*, 362 U.S. 402, 402 (1960).

**IT IS SO ORDERED.**

Signed on April 30, 2024, at Houston, Texas.

  

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Dena Hanovice Palermo  
United States Magistrate Judge